

**OCTOBER 20, 2008  
REGULAR COUNCIL MEETING  
PARMA CITY HALL COUNCIL CHAMBERS  
6:30 P.M.**

The Regular Council Meeting was called to order by President of Council Charles M. Germana presiding:

**COUNCIL MEMBERS PRESENT:**

SCOTT M. TUMA  
SEAN P. BRENNAN  
NICHOLAS J. CELEBREZZE  
BRIAN DAY  
MARY GALINAS  
ROY J. JECH  
LARRY NAPOLI  
KEN RAMSER  
TOM REGAS

Mr. Mastroianni – Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Dean DePiero, Auditor Dennis Kish, Treasurer Anthony C. Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Assistant Building Commissioner Don Graves, Communications and Community Relations Director Jack Marschall, Recreation Commissioner Mickey Vittardi, Director of Human Resources Elayne Siegfried, Senior Citizen Director Jo Ann Mason, Chief of Staff Meghann McCall, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky and Clerk of Council Tom Mastroianni.

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**INVOCATION**

The Invocation was given by Clerk of Council Tom Mastroianni.

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**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

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**VOICE VOTE**

RESOLUTION NO. 281-08    10/20/08    L-281-08

BY: **R. J. JECH**, S. P. BRENNAN, N. CELEBREZZE, B. DAY, M. GALINAS, L. NAPOLI,  
K. RAMSER, T. REGAS, S. TUMA

A RESOLUTION HONORING DR. CHRISTINA DINKLOCKER  
2008 BETSY M. COWLES LEADERSHIP AWARD RECIPIENT

Clerk of Council – Read the Resolution in its entirety.  
Councilman Jech – Presented the Resolution to Dr. Dinklocker and congratulated her.

Mayor DePiero – Presented Dr. Dinklocker with a Proclamation.  
Dr. Dinklocker – Thanked everyone.

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## LEGISLATIVE COMMENT

No one wished to speak.

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## DISPOSAL OF JOURNAL

Mr. Germana – Stated we have minutes from the Regular Council Meeting of September 22, 2008, and the Public Hearing of October 14, 2008. Asked if there were any additions or corrections to these Minutes? Stated, hearing none, the Minutes will stand approved as printed.

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## COMMUNICATIONS, PETITIONS AND CLAIMS

Notice received from the Ohio Division of Liquor Control for a new D5 Permit to Ponz Industries, 5542 Pearl Road, Parma, Ohio 44129. Mailed October 8, 2008. Responses must be postmarked no later than November 10, 2008.

Mr. Germana – Copy of said liquor permit will be referred to the Safety Director and Ward Council.

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Notice received from the Ohio Division of Liquor Control for a D5 and D6 Permit to Old School Enterprises, Inc., dba London Aire Tavern, 2903 Brookpark Road, 1<sup>st</sup> floor, Parma, Ohio 44134. Mailed October 2, 2008. Responses must be postmarked no later than November 3, 2008.

Mr. Germana – Copy of said Liquor Permit will be referred to the Safety Director and Ward Council.

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## FIRST READING:

ORDINANCE NO. 306-08      10/20/08      L-306-08

BY: B. DAY  
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE  
TO ENTER INTO A CONTRACT WITH GPD GROUP FOR ENGINEERING  
SERVICES FOR THE TUXEDO AVENUE WATER MAIN REPLACEMENT  
PHASE I IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

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ORDINANCE NO. 307-08      10/20/08      L-307-08

BY: S. M. TUMA  
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE  
TO ENTER INTO A GRANT OF EASEMENT AGREEMENT WHICH WILL  
GRANT AN EASEMENT TO AT&T FOR PLACEMENT OF NEW  
COMMUNICATIONS EQUIPMENT AT THE NORTHWEST INTERSECTION  
OF STANBURY ROAD AND SOUTHLINGTON DRIVE IN THE CITY OF  
PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Public Service Committee.

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ORDINANCE NO. 308-08      10/20/08      L-308-08

BY: L. NAPOLI  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES FOR THE YEAR 2009 AND APPROPRIATING THE SUM OF \$316,924.00, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

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ORDINANCE NO. 312-08      10/20/08      L-312-08

BY: S. BRENNAN  
(By Request – Human Resources Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 423-06 TO AMEND THE TITLE AND COMPENSATION OF THE POSITION OF RECYCLING COORDINATOR, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Governmental Operations Committee.

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RESOLUTION NO. 315-08      10/20/08      L-315-08

BY: S. BRENNAN

A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY, AND DECLARING AN EMERGENCY

Mr. Germana – Said Resolution will be referred to the Public Safety Committee.

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ORDINANCE NO. 316-08      10/20/08      L-316-08

BY: S. M. TUMA  
(By Request – Law Director)

AN ORDINANCE TO ENTER INTO A CONSOLIDATED SETTLEMENT AGREEMENT WITH THE CITY OF PARMA AND THE PLAINTIFFS IN THE CASES KNOWN AS RICHARD SCHEUTZOW, ET AL. V. CITY OF PARMA, AND FOP LODGE NO. 15, ET AL. V. CITY OF PARMA, ET AL., AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

## SECOND READING SUSPENSION:

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 290-08, Ordinance No. 299-08, Ordinance No. 300-08 and Ordinance No. 301-08 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

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RESOLUTION NO. 290-08      10/6/08      L-290-08  
BY: B. DAY, R. J. JECH, N. CELEBREZZE, S. M. TUMA, S. P. BRENNAN,  
M. GALINAS, L. NAPOLI, K. RAMSER, T. REGAS  
(By Request – Community Services & Economic Director)

A RESOLUTION DECLARING STATE ROAD, BETWEEN TUXEDO  
AVENUE AND GRANTWOOD DRIVE IN THE CITY OF PARMA AS  
"UKRAINIAN VILLAGE"

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Resolution No. 290-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Resolution No. 290-08 is adopted.

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ORDINANCE NO. 299-08      10/6/08      L-299-08  
BY: M. GALINAS  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
PURCHASE AGREEMENT BY AND BETWEEN SANDRA MILLER AND THE  
CITY OF PARMA FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS  
PERMANENT PARCEL NUMBER 442-15-146, LOCATED ON MANHATTAN  
AVENUE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mayor DePiero – Stated that last week he gave an indepth discussion of 299-08, 300-08 and 301-08. These are properties on Manhattan Avenue. The purchase price is \$8,300.00 per property and it is being funded through the Land Acquisition Fund.

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Ordinance No. 299-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 299-08 is adopted.

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ORDINANCE NO. 300-08      10/6/08      L-300-08  
BY: M. GALINAS  
(By Request - Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
PURCHASE AGREEMENT BY AND BETWEEN SCOTT KULIK AND  
THE CITY OF PARMA FOR THE ACQUISITION OF REAL PROPERTY

KNOWN AS PERMANENT PARCEL NUMBER 442-15-145, LOCATED ON  
MANHATTAN AVENUE IN THE CITY OF PARMA, AND DECLARING AN  
EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Ordinance No. 300-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 300-08 is adopted.

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ORDINANCE NO. 301-08      10/6/08      L-301-08

BY: M. GALINAS  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
PURCHASE AGREEMENT BY AND BETWEEN SHARON KULIK AND THE  
CITY OF PARMA FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS  
PERMANENT PARCEL NUMBER 442-15-144, LOCATED ON MANHATTAN  
AVENUE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Ordinance No. 301-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 301-08 is adopted.

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**THIRD READING:**

ORDINANCE NO. 231-08      8/4/08      L-231-08

BY: B. DAY

AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBERS  
445-16-005, 445-16-014, AND 445-16-017 FROM OFFICE  
BUILDING B-1 AND SINGLE-FAMILY B-1 TO RETAIL BUSINESS  
C-1 LOCATED ON BROADVIEW ROAD, IN THE CITY OF PARMA

Councilman Day – Stated that there was a Public Hearing held last week  
regarding this property which is at the corner of Broadview and Rockside with the  
Walgreens that will be constructed. Stated that there were no objections. Feels this is a  
good project.

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Ordinance No. 231-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 231-08.  
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BY: S. M. TUMA  
(By Request – Auditor)

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED  
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY  
TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend  
Schedule "A" of Resolution No. 266-08 to read as follows:

County Auditor's Estimate of Tax Rate to be Levied  
General Fund 2.80 Inside 10-Mill Limit  
General Bond Retirement Fund .20 Outside 10-Mill Limit  
General Bond Retirement Fund .20 Outside 10-Mill Limit  
Police Pension Fund .30 Inside 10-Mill Limit  
Fire Pension Fund .30 Inside 10-Mill Limit  
Police Levy 2.00 Outside 10-Mill Limit  
Total 3.40 Inside 10-Mill Limit, 3.70 Outside 10-Mill Limit

Further moved to waive Rule 51 and place Resolution No. 266-08 on Third  
Reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Resolution No. 266-08 as amended.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Resolution No. 266-08 is adopted as amended.

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#### **SUSPENSION OF THE RULES:**

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and  
distinct reading of Ordinance No. 309-08, Ordinance No. 310-08, Resolution No. 311-08,  
Ordinance No. 313-08 and Ordinance No. 314-08 on three different days be dispensed  
with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with  
and Ordinance No. 309-08, Ordinance No. 310-08, Resolution No. 311-08, Ordinance  
No. 313-08 and Ordinance No. 314-08 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

BY: S. M. TUMA  
(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF  
ORDINANCE NO. 76-08 RELATIVE TO THE AMOUNT FOR A

CONTRACT WITH ALLIED CORPORATION FOR THE PURCHASE  
OF ASPHALT CONCRETE AND ASPHALT PLANING, AND DECLARING  
AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Ordinance No. 309-98.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 309-08 is adopted.

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ORDINANCE NO. 310-08      10/20/08      L-310-08

BY: S. M. TUMA  
(By Request – Auditor)

A ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS  
WITHIN THE 2008 PERMANENT APPROPRIATIONS OF THE CITY OF  
PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend  
Ordinance No. 310-08 by accepting revised Exhibit "A". Motion carried.

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Ordinance No. 310-08 as amended.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 310-08 is adopted as amended.

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RESOLUTION NO. 311-08      10/20/08      L-311-08

BY: S. M. TUMA  
(By Request - Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST  
CERTIFICATION OF REQUISITIONS AS DETAILED IN  
EXHIBIT "A" AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt  
Resolution No. 311-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Resolution No. 311-08 is adopted.

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ORDINANCE NO. 313-08      10/20/08      L-313-08

BY: T. REGAS, M. GALINAS  
(By Request – Community Services and Economic Development Director)

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE NO. 95-08  
TO AMEND THE FUND NUMBER AND THE AMOUNT FOR THE  
OPERATION OF THE FIRST TIME HOME BUYER PROGRAM, AND  
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

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BY: M. GALINAS, S. M. TUMA, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY,  
R. J. JECH, L. NAPOLI, K. RAMSER, T. REGAS  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE SALE, BY INTERNET AUCTION,  
OF CERTAIN LOST, ABANDONED, STOLEN, SEIZED AND/OR FORFEITED  
PROPERTY HELD BY THE CITY'S POLICE DEPARTMENT, AND  
DECLARING AN EMERGENCY

Mr. Baeppler – Stated this will authorize the sale of items stored at the Police Department by Internet auction. This will cut down on storage costs and will be cost effective.

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 314-08.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 314-08 is adopted.

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**PUBLIC SESSION**

Martin Drabek, 7696 Cecilia Drive – Asked how long does a resident have to tie into the sanitary sewer line and who enforces it?

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**MISCELLANEOUS BUSINESS**

Mayor DePiero – No comment.

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Safety Director Baeppler – No comment.

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Service Director Higgins – Stated that permits will be pulled through the County for sanitary sewers and they will also inspect the projects. Stated that homeowners usually have 90 days to comply.

Stated that starting tomorrow, the Service Department will starting picking up leaves. They have limited personnel for that. As they wind down with some of the roads, they will hit the leaves as hard as they can.

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Treasurer Zielinski – No comment.

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Law Director Dobeck – No comment.

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Auditor Kish – No comment.

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Councilman Tuma – Commended the Mayor, Community Development Director Tollerup and Councilwoman Galinas with respect to the parcels of land on Manhattan Avenue.

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Councilman Brennan – Welcomed Mr. Kish back and welcomed Mayor Day.

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Councilman Celebrezze – No comment.  
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Councilman Day – No comment.

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Councilwoman Galinas – No comment.

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Councilman Jech – Welcomed Mr. Kish back. Thanked Community Development Director Tollerup for helping get a house demolished in his ward. He also notified all the residents. Also thanked Property Maintenance Supervisor Don Graves. He is always very efficient in his job. Regarding the situation with the family that almost lost their home, Judge O'Donnell made a decision to vacate the sale and the residents are going to be able to remain in their home. Thanked everyone for their support.

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Councilman Napoli – Stated that he believes the County Board of Health enforces all the tie-ins. Welcomed Mr. Kish back.

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Councilman Ramser – No comment.

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Councilman Regas – Congratulated Mr. Jech.

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Mr. Germana – Asked Council if they wanted to meet the day before or the day after the election.

Council will meet on November 3<sup>rd</sup> at 6 P.M.

Congratulated the Ukrainian Community.

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**ADJOURNMENT**

Motion made by Councilman Jech seconded by Councilman Day to adjourn the Regular Council Meeting. Motion carried.

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**C E R T I F I C A T I O N**

I, Thomas Mastroianni, Clerk of Council of the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, October 20, 2008.

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THOMAS MASTROIANNI  
CLERK OF COUNCIL

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CHARLES M. GERMANA  
PRESIDENT OF COUNCIL

Meeting adjourned at 7:02 P.M./lk